

FEINSTEIN, RAISS, KELIN
& BOOKER, L.L.C.
100 Executive Drive, Suite 360
West Orange, New Jersey 07052
(973) 324-5400
tgoldstein@frkblaw.com
Attorneys for Defendants,
E Mortgage Management, LLC,
E Freedom Properties, LLC,
E Properties, LLC, Gregory Englesbe and
Joseph Spagnoletti

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

DEIDRE DAVIDSON a/k/a DEIDRA
OAGUNJU,

Plaintiff,

vs.

CORNERSTONE BANK, E-MORTGAGE
MANAGEMENT, LLC, E-FREEDOM
PROPERTIES, LLC, E-
PROPERTIES, LLC, GREGORY
ENGLESBE and JOSEPH
STAGNALETI,

Defendants.

Document Electronically
Filed

Civil Action No. 1:10-cv-
02825- NLH JS

**E MORTGAGE MANAGEMENT, LLC,
E FREEDOM PROPERTIES, LLC, E
PROPERTIES, LLC, GREGORY
ENGLESBE AND JOSEPH
SPAGNOLETTI'S NOTICE OF
MOTION TO STRIKE PLAINTIFF'S
OCTOBER 5, 2010 PLEADING AND
FOR AN AWARD OF ATTORNEY'S
FEES AND COSTS AND,
ALTERNATIVELY, TO DISMISS
PLAINTIFF'S CROSSCLAIM
AGAINST THE E-DEFENDANTS
WITH PREJUDICE.**

Return Date: December 6,
2010

Response Due Date: November
22, 2010

TO: All Counsel of Record (See attached Service List)

PLEASE TAKE NOTICE that on December 6, 2010, or as soon
thereafter as counsel may be heard, Defendants, E Mortgage

Management, LLC, E Freedom, Properties, LLC, E Properties, LLC Gregory Englesbe and Joseph Spagnoletti, (improperly plead as Joseph Stagnaletti) (collectively "E-Defendants") will move before the Honorable Joel Schneider, U.S.M.J. at the United States District Court, District of New Jersey, Camden Vicinage, Camden, New Jersey, for an Order striking Plaintiff's October 5, 2010 Pleading (which includes an Amended Answer and Affirmative Defenses to E Properties' Amended Counterclaim and a Crossclaim against the Defendants) and for attorney's fees and costs pursuant to Fed. R. Civ. P. 16(f) and 12(f) and alternatively, dismissing Plaintiff's Crossclaim with prejudice as to all of the E-Defendants pursuant to Fed. R. Civ. P. 12(b)(6).

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. L. Civ. R. 7.1(d), opposition to the relief requested and/or cross-motions shall be filed with the Clerk of the District Court and served upon the undersigned and all parties in interest at least fourteen (14) days before the hearing date of the Motion, or the Motion will be deemed uncontested.

PLEASE TAKE FURTHER NOTICE that pursuant to D.N.J. L. Civ. R. 7.2(a), unless the Court authorizes otherwise prior to the return date hereof, no testimony shall be taken at the hearing except by affidavit.

PLEASE TAKE FURTHER NOTICE that in accordance with D.N.J. L. Civ. R. 7.1(d)(7), Defendants requests oral argument only if timely opposition is filed.

s/Tracey Goldstein
Tracey Goldstein
FEINSTEIN, RAISS, KELIN
& BOOKER, L.L.C.
100 Executive Drive
Suite 360
West Orange, NJ 07052
Tel: (973) 324-5400
Fax: (973) 731-4669
tgoldstein@frkblaw.com
Attorneys for Defendants E
Mortgage Properties, LLC,
E Freedom Properties, LLC,
E Properties, LLC, Gregory
Englesbe & Joseph Spagnoletti

Dated: October 25, 2010